

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

GREGORY ALLEN RATHKEY,

Case No. 3:12-cv-01904-JE

Petitioner,

FINDINGS AND RECOMMENDATION

v.

UNITED STATES OF AMERICA,

Respondent.

JELDERKS, Magistrate Judge.

Petitioner filed this 28 U.S.C. § 2241 habeas corpus action challenging the Bureau of Prisons' ("BOP's") decision to increase his quarterly payments under the Inmate Financial Responsibility Program. In its Response and supporting Declaration, the Government represents that upon further review, the BOP has restored petitioner's payments to their previous levels thus rendering this case moot.

Petitioner's supporting memorandum was due in April 2013, but he never filed any such memorandum or otherwise communicated with

the court. Because the BOP provided petitioner with the relief he requested, the Petition for Writ of Habeas Corpus should now be dismissed for mootness.

**RECOMMENDATION**

The Petition for Writ of Habeas Corpus (#1) should be dismissed for mootness.

**SCHEDULING ORDER**

This Findings and Recommendation will be referred to a district judge. Objections, if any, are due by January 26, 2015. If no objections are filed, then the Findings and Recommendation will go under advisement on that date.

If objections are filed, then a response is due within 14 days after being served with a copy of the objections. When the response is due or filed, whichever date is earlier, the Findings and Recommendation will go under advisement.

DATED this 8th day of January, 2015.

/s/ John Jelderks

John Jelderks  
United States Magistrate Judge